

1884-006  
Lee Co.

Chancery Causes: Margaret Edwards vs. Thomas J. Ely  
widow

CA-Contract Dispute  
T-Property  
Women

To the Hon. John A. Kelly Judge of  
the Circuit Court of Lee County Va  
Your Oratrix Margaret Edwards  
Humbly Complaining sheweth unto  
your Honor: That she is the widow of  
The late Ignatius Edwards, now deceased, and  
that said Edwards was during his life-  
time and during the Coverture, seized and  
possessed of a small real estate, situated  
in this County about 3 miles south from Jonesville  
near Oxferlo Ford on Powell's river, and  
known as the old Elizabeth Edwards farm  
The lands consist of a tract of about  
278 acres, and descended as was sup-  
posed to six heirs at law of said Elizabeth  
and one sixth thereof was in an undivided  
state sold by her said husband in his  
lifetime to one Daniel S. Dickerson deceased.  
After which it turned out that one of the  
said Elizabeth's heirs at law could not  
be found and having been unheard from  
for some 20 years was treated as dead  
and thus the said D. Edwards became  
entitled to and was seized of  $\frac{1}{5}$  of  $\frac{1}{6}$  or  
 $\frac{1}{30}$  of the whole in addition to what  
had therefore been sold by him.

By a decretal order of this Hon. Court in  
a cause now pending, of Edwards v. Edwards



was directed to be sold - and was sold  
and Thomas J. Ely became the purchaser  
at what price your estate does not  
know, nor does she know whether  
or not the same has been paid for  
said Ely now claims the said land and  
has it in possession - The price so  
sold as aforesaid to Daniel S. Dickinson  
was after the death of said Dickinson  
sold by order of your Honors Court  
together with other adjacent lands of  
him the said Dickinson, and Wm Sullivan  
J. H. Minter and H. S. Preston became the  
purchasers thereof and took the same  
into possession - They then sold and  
transferred the same to the said Thomas  
J. Ely who now owns and occupies  
them as well as the other - These were  
the only lands ever owned by her said  
husband - And while he thus had sold  
his first lot he nevertheless continued  
for many years and up to the time of  
his death in the year 1882 to live in the  
old mansion house, and died leaving  
your estate still there - In none of these  
several conveyances, your estate never  
joined or signed any deed - So that she  
is advised she is entitled to recover



them - The land so descended to said J. Edwards and his Co-heirs was never partitioned only one James Edwards had his share laid off and said Thomas. Ely being the owner of the residue the same was laid off or papered to him by reason of his purchases.

Your Oratrix is advised that she is entitled to her dower adjacent to and including the mansion house, which by common consent had been allowed to be occupied by said J. Edwards.

Your Oratrix is further advised that she can under the discretion of this Hon. Court be compelled to take in lieu of dower the interest on said purchase money; but she humbly asks that this be not done she is old and poor, ill able to work or move about, this to her is home - Home for many a long year of toil and labor, she has raised the family there and there she prays this Court to permit her to remain the remainder of a life now nearly gone.

The object of this bill, is therefore to have dower assigned your Oratrix in said land so as to include the mansion house - and object - she has sought in vain to obtain without to legal proceedings



The premises considered, your oratrix prays  
 that Thomas J. Ely be made a party de-  
 fendant to this bill and answer its  
 allegations upon oath; and upon a hearing  
 a decree be rendered granting your oratrix  
 the dower she is entitled to in said lands  
 including the house she now occupies -  
 and for all other just and General  
 relief May upon issue &c.

A. L. Pickens O. D.

11  
 Margaret Edlin

03 Bill. Chg

Thomas J. Ely

1883 Dec. 14 - Bill filed  
 1884 Jan. 24 - Bill & D. N.  
 " Feb. 2 - Decree nisi entered  
 " Mar. 2 - Cause set for hearing.  
 " " Decree made.

44.63  
 3.50  
 415.00  
 720.13



Margaret Edwards

Plff.

against

Thomas J. Ely

Def.

} Indy

This cause came on this day to  
to be heard upon, the bill of  
the plff taken for confessed - and  
was argued by Counsel - And  
by agreement of the parties  
it is agreed that the ~~plff~~ <sup>plff</sup> shall  
pay to the, plff \$75. as of this  
date, and the costs of the suit  
except no attorney is to be taxed.  
~~and costs of \$75~~ <sup>and costs of \$75</sup> of which is this  
day paid in hand - And this  
sum is accepted by the plff in  
full satisfaction of the plffs de-  
mand, and she is forever barred  
of claim in the lands in the  
bill mentioned; but nothing in this  
decree is to be so construed as to  
settle any claim the plff may  
have against the defendant - for  
rents or  $\frac{1}{5}$  of  $\frac{1}{6}$  of said lands which  
is reserved to future settlement - And  
the cause is stricken from the  
docket.



Margaret Edward

v J Decree

J. Final

Thomas J. Ely

Aug 7. 1884

Entered page 413.

J. A. Hyatt C. C.

Euler

Aug 27 1884

M. A. K.

# THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

*Thomas J. Ely*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

*January* next being rule day to answer a bill in Chancery exhibited in our said Court against *him*

by

*Margaret Edwards*

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This *19<sup>th</sup>* day of *December* 188*3*, in the 10 *8* year of the Commonwealth.

*J. A. G. Hyatt* Clerk



19  
Margret Edwards  
vs  $\frac{3}{3}$  Spain Chcy  
Thomas J. Ely

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So January Rules 1884

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Executed by deliver-  
ing an office copy  
of the within writ  
to Thos. J. Ely  
Decr 20 1883.

Zion Atlanany  
D.S. for R.D. Atlanany  
S.L.C.